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REMARKS

Claims 1-25 are currently pending in the subject application and claims 1-9 and 25 are presently under consideration. Claims 1 and 25 have been amended herein to further emphasize novel aspects of applicant's claimed invention, and claims 6-8 have been amended to cure a minor informality. A version of all pending claims is found at pages 2-5.

Additionally, applicant's representative thanks the Examiner for the courtesies extended during the telephonic interview on July 14, 2005, wherein a provisional election with traverse was made to prosecute Species I (claims 1-9 and 25). As requested by the Examiner in the instant Office Action, applicant's representative hereby affirms the foregoing election of Species I for further prosecution on the merits.

Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

**I. Rejection of Claims 1-7, 9 and 25 Under 35 U.S.C. §102(e)**

Claims 1-7, 9 and 25 stand rejected under 35 U.S.C. §102(e) as being anticipated by Berger *et al.* (US 6,304,841). Withdrawal of this rejection is requested for at least the following reasons. Berger *et al.* does not disclose or suggest each and every limitation set forth in the subject claims.

A single prior art reference anticipates a patent claim only if it *expressly or inherently describes each and every limitation set forth in the patent claim*. *Trintec Industries, Inc. v. Top-U.S.A. Corp.*, 295 F.3d 1292, 63 USPQ2d 1597 (Fed. Cir. 2002); *See Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). The *identical invention must be shown in as complete detail as is contained in the ... claim*. *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989) (emphasis added).

Applicant's claimed invention is directed to optimizing assignments of probabilities to training data as utilized in various machine-learning processes, especially regularizing so-called maximum entropy or logistic regression models. To this end,

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independent claim 1, as amended, recites: *an analysis component that analyzes at least a subset of one or more types of data to compute maximized probabilities by employing an iterative scaling function and at least one of: a LaPlacian prior and a non-Gaussian distribution*. Independent claim 25 recites similar claim aspects. Berger *et al.* fails to disclose or suggest these novel aspects of the invention as claimed.

Berger *et al.* provides an apparatus for translating a series of source words in a first language to a series of target words in a second language. However, the cited document does not disclose the utilization of an iterative scaling function in conjunction with at least one of: a LaPlacian prior and a non-Gaussian distribution as recited in the subject claims. In fact, nowhere in Berger *et al.* is this exemplary aspect taught or suggested. Rather, the cited document discloses the utilization of an iterative scaling function to compute maximized probabilities, whereas applicant's claimed invention utilizes both an iterative scaling function as well as at least one of a LaPlacian prior and a non-Gaussian distribution to compute maximized probabilities. Further, it is submitted, one of the benefits of utilizing an iterative scaling function in combination with at least one of a LaPlacian and a non-Gaussian distribution, as recited in the subject claims, lies in the reduction of undesirable errors due to overfitting in the context of optimizing assignments of probabilities to training data as utilized in various machine learning processes, for example. It is thus apparent that Berger *et al.* and applicant's claimed invention are clearly distinguishable. Accordingly, withdrawal of this rejection with respect to independent claims 1 and 25 (and claims that depend there from) is respectfully requested.

## **II. Rejection of Claim 8 Under 35 U.S.C. §103(a)**

Claims 8 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Berger *et al.* (US 6,304,841) in view of Elworthy (US 6,125,362). This rejection should be withdrawn for at least the following reasons. Claim 8 depends from independent claim 1, and Elworthy does not cure the aforementioned deficiencies with respect to Berger *et al.* Accordingly, withdrawal of the rejection of claim 8 is requested.

10/766,348MS302098.01/MSFTP537US**CONCLUSION**

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063.

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicant's undersigned representative at the telephone number below.

Respectfully submitted,

AMIN & TUROCY, LLP



Jeffrey R. Sadlowski  
Reg. No. 47,914

AMIN & TUROCY, LLP  
24<sup>TH</sup> Floor, National City Center  
1900 E. 9<sup>TH</sup> Street  
Cleveland, Ohio 44114  
Telephone (216) 696-8730  
Facsimile (216) 696-8731